



Cross Community Working Groups

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This eBook is one of a series based on the transcripts, chats and presentations of webinar programmes produced by the At-Large and APRALO-APAC Hub Capacity Building Working Groups.

The webinars are primarily aimed at enhancing knowledge within the At-Large community about the activities of ICANN and the role of ALAC and its regional organisations. It is hoped that a greater familiarity with the workings of ICANN will encourage At-Large Structures (ALSes) to be more involved and participative in ALAC working groups and public consultation activities.

Other planned topics in the eBook series are:

- Engaging ALSes and Volunteers within Working Groups - [Cheryl Langdon-Orr](#) & Eduardo Diaz
- The DNS Ecosystem - Steve Sheng
- IANA Functions - [Patrick Falstrom](#)
- Security and Stability - [Patrick Falstrom](#)
- Internet Governance - Noelle Francesca de Guzman, Maureen Hilyard, Kelvin Wong and Satish Babu
- The new gTLD programme - Steve Chan & Yoshitaka Murakami
- Internationalised Domain Names - Sarmad Hussain & Edmon Chung

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Hi everyone, my name is [Marika Konings](#). I'm a senior policy director and team leader for the [GNSO](#), and I've been asked to present to you concerning the topic of cross community working groups.



There are probably a lot of similarities to some of the aspects that Heidi has described in her session relating to [At-Large Working Groups](#). For example, working methods, participation, but there are some significant differences and those are the ones I would like to focus on.

As [Heidi Ullrich](#) has mentioned, it is in [ALAC](#) and similarly in [GNSO](#) policy, that many working groups have cross community participation, but that doesn't necessarily make them cross community working groups, or at least what is considered within the

ICANN context, as a cross community working group. And I think it's important to highlight as well, that this is a developing concept.

I think cross community working groups have actually been used for quite some time, and some of the ones that I found actually date back to, for example, the work on the internationalized domain names, the fast track work.



This involved work between the [GAC](#) and the [ccNSO](#), which I think has been referred to as the cross community working groups that we know today.

And many of you may be involved in, for example, the work of the cross community working group on [Accountability and the IANA stewardship transition](#).

So that when we think of what people understand to be a cross community working group, we must also think about what is the purpose of the cross community working group and also what are the principles under which these groups operate?

It is worth probably highlighting that in this case, there are no formal rules as such, well there is actually a cross community working group looking at formalizing, and maybe even to a certain extent, standardizing what a cross community working group should look like, and what some of the basic principles of such a group should be.

Purpose – used to discuss and develop recommendations on issues that:

- 1 Cut across Supporting Organizations and Advisory Committees
- 2 Are not the sole responsibility of one Supporting Organization or Advisory Committee
- 3 Not in scope for Supporting Organization Policy Development
- 4 Desire for two or more Supporting Organizations / Advisory Committees to work together
- 5 Are intended to be considered for action by ICANN Board (?)



I think a lot of the experience that you see on the slide has, for example, been gained from the recent initiatives related to the IANA transition exercise, where a lot of efforts have been put in around forming these groups, and looking at what rules and principles would apply to those.

PURPOSE OF [CCWGs](#)

So we'll first look at the purpose, what is the currently understood purpose of cross community working groups?

First of all, it's important that it deals with a topic that cuts across different supporting organizations and advisory committees. Secondly, it should be a topic that appeals to many so that it's not solely within the remit or responsibility of one supporting organization or advisory committee.

This closely links as well to the point three here on this slide. It should be a topic that is not in the specific scope of supporting organization policy development. These groups may discuss that topic, but the only way to develop policy, as we know with a capital P, is through a PDP – a policy development process.

Fourth, of course it's important that there is actually a desire of multiple groups to work on the



topic. The cross community working group does require a lot of investment and resources, both from the staff perspective, but also very importantly, from a community perspective. So there needs to be a clear desire to invest this time and resources to work on the topic.

And the fifth point I put here on this slide, and I put it here with a question mark. It's something that has arisen due to our recent experiences. There is a

sense that the time and resources invested in the CWG may only make sense if those recommendations are intended for Board action.

If the group has another purpose, for example, if we tend to generate discussions, generate ideas, facilitate conversations, maybe another vehicle is more suited for that kind of conversation than that of a cross community working group.

Like I said, this is not a formal definition or formal restriction, but I think it's more something that we've seen developing over time with the cross community groups - **to specifically bring together different organizations within ICANN, to develop recommendations that they would want to put forward to the ICANN Board for their consideration.**



(Photo: ICANN Board 2015)

Current Principles

1

Identical charter adopted by all SO/ACs

4

Meaningful opportunities for public comment and engagement

2

Chartering organizations appoint members who have specific role

5

Endorsement of chartering organizations before submission to ICANN Board

3

Anyone interested to participate can do so on equal footing

6

Board consideration of Final Recommendations

CURRENT PRINCIPLES

So now looking at some of the current principles. And again, this is really based on a recent experience with current cross community working groups, and their expectations as well, as some of this will be reflected in the work that is ongoing. For example, on developing a framework and guiding principles for cross community working groups that hopefully will be agreed to and adopted by the all the ICANN supporting and advisory organizations.

It's of course, very important that there is a common understanding of how these groups are expected and anticipated to work. So first of all, very importantly, there is an identical charter that is adopted by all supporting organizations and advisory committees. And on our next slide, I will talk to you a little bit more about what a typical charter contains.

Charter

To ensure common understanding of scope and working methods, a charter is developed that typically contains:

- Purpose/Problem statement, goals & objectives and scope
- Deliverables, timeframes & reporting (Work Plan)
- Membership, staffing and organization
- Rules of engagement, including decision-making methodologies, modification of the charter
- Process for adoption of output, problem/issue escalation & resolution processes in the effort



THE CHARTER

This is really the guiding document for the cross community working group. What is the specific scope of the group? How can you participate? So it's really important that, of course, this document is the same for each supporting organization or advisory committee that signs off on the charter. And it means that everyone agrees on the purpose and the way things are being done.

What we've currently seen as well, is a development that has crystallized during the work that has been done in relation to the IANA transition, is that chartering organizations are responsible for appointing a fixed number of members. So chartering organizations appoint members who have a very specific role in the cross community working group.



THE ROLE OF THE CHARTERING ORGANISATION

Their role is really to make sure that the chartering organization, and the chartering organizations we're referring to are those organizations that have adopted the charter - so it can be any supporting organization or advisory committee – but it is their job to make sure that each chartering organization is kept up to date with the activities of the cross community working groups.

If there is any kind of formal position by a specific chartering organization, these members can take that position of the chartering organization, to the cross community working group, and speak on behalf of the chartering organization. This particular right is expressed in the charter, but again, it's something that I think is there as a matter of principle, but in general it's not being used in practice.

During the recent two cross community working group charters, the concept of consensus calls prevails. It is the members themselves who convey the position of the chartering organizations. Both cross community working groups that are currently operating, are all aiming to operate by consensus for all the working groups.

Examples of recent CCWGs



CCWG PARTICIPANTS

So this does not only affect members but also other participants. In the charter, it speaks about the fact that members are those that are expected to convey the position of a chartering organization on a certain proposal. Of course the logic behind that is that at the end of the day, the chartering organization will need to approve the recommendations before these are submitted to the Board, so a consensus decision gives a sense of where our chartering organization is with regards to an issue, or what their concerns may be.

A chartering organization appointed member has the role to share that viewpoint with the cross community working group. As noted in point three, all cross community working groups that we have currently operating, are open to anyone interested to participate on an equal footing. There is a difference between chartering organizations appointed members, but in the daily operation of a cross community working groups, participants and members have the same abilities and same rights and responsibilities to participate.

And it's also worth mentioning, especially for those of you that may not have the ability or availability to participate in a cross community working group, that there is also the opportunity to participate as an observer. Observers are signed on to the mailing list, so they receive the messages, but they're not expected to participate at the meetings, and nor are they able to post to the mailing list. It's just a mechanism for people to follow conversation without having to go to the mailing list archive, but it enables them to actively follow up on some issues.

Another point that is shared by many of the cross community working groups, is that there has to be meaningful opportunities for public comments. It started in an early [phase] stage, where there was specific outreach required to be sure people were aware of the effort to sign off as members, participants, or observers. Throughout the process, opportunities are identified, where public comment entries are provided, and active engagement is pursued.

And I think you've all seen the public comment periods that have been opened, meetings that take place at ICANN meetings where public input is solved, and communication is disseminated through the different chartering organizations to their respective membership.

CWG ENDORSEMENT

Another characteristic of a Charter is that endorsement or approvals, each through their own respective mechanisms by each of the chartering organizations, is required before the cross community working group's final report or recommendations are submitted to the ICANN Board.

The current charters foresee what happens if one of the chartering organizations does not approve the final recommendations. There are specific processes in place that allow for further consultation and possible changes that may result before adoption by everyone.

But if at the end of the day, there is one or more chartering organizations that do not accept the end report, the final report is not submitted as a cross community working product to the ICANN Board. There may be opportunities or possibilities for chartering organizations to adopt them as their own work product, but it will not be considered a cross community working group product.

And that is what we've seen. This is not any kind of formal requirement at this stage, more an expectation. A cross community working group must come to a consensus decision and their recommendations adopted by the all of the chartering organizations, before these can then be forwarded to the ICANN Board for their consideration.

Actually, in the case of the cross community working group on Accountability, the Board formally adopted a process by which they have committed to consider those recommendations. So it will be interesting to see whether that may be the common standard for future cross community working groups, particularly as, at this stage, cross community working groups do not have any kind of formal standing, neither under the ICANN bylaws nor any of the supporting organizations or advisory committees, that I am aware of.

Each working group has its own rules and procedures, but nothing like that is currently in existence for cross community working groups. Hence the importance of the work that is being undertaken to document and hopefully formalize as well, a broad framework for how cross community working groups are expected to operate, to make sure that there is a joint understanding and expectations are managed when it comes to forming as well as managing and running these groups.

STATING THE PURPOSE OF THE CHARTER

So as I mentioned before, in the current format, the rules for each cross community working group are documented in the charter. As I said here, we need to ensure that there is a common understanding of the scope as well as the working methods. So some of the elements that a charter will contain is, what is the purpose and the problem statement?

What is the working group trying to solve? **What are the goals and the objectives?**



Are there any limitations to their scope? Are there certain things that are not supposed to be considered? And the charter typically outlines, what the expected deliverables are. Are there any specific timeframes that are involved? And what is the expected reporting from the cross community

working group?

And all of that is expected to be translated by the cross community working group in an effective work plan. So the chartering organizations have an ability to review that work plan, and confirm whether or not that aligns with what they have set out in the charter. The charter also typically outlines the rules for membership, the staffing as well as organization.

And what are the expected rules of engagement? And very important as well, what are the rules for decision making? As each supporting organization and advisory committee has its own rules for decision making, in their own working groups there are sometimes different approaches or understandings of, for example, what does the term consensus mean?

So it's really important that in the charter, it's clearly outlined what the rules for decision making are, and what definitions are used in the context of the cross community working group. Also, It typically outlines its provision for how to deal with the modification of a charter, so that at any point in time, changes can be made to the charter when needed. What is the process for doing that?

And then of course, the Charter outlines the process for the adoption of the output and how to address problems and issue escalation? And what other resolution mechanisms are in place should there be any issues encountered either for the workings of this cross community working group, or in the case that one of the chartering organizations does not adopt the recommendations? Or in the case that the Board does not adopt the recommendation?

And again, if you look through the recent charters, you may see also a lot of similarities as well, between the ALAC procedures and the [GNSO](#) procedures. A lot of different elements are blocked together in these charters, so that it is a document that clearly outlines the work that needs to be undertaken.

Charter Development & Adoption

- Developed by a Drafting Team with a small number of representatives from interested SO/ACs
- Following completion, draft charter sent back to SO/ACs for adoption, according to respective processes
- Following adoption, call for volunteers to join CWG



THE CHARTER DRAFTING TEAM

Typically the charter is developed by a drafting team, and recent practice has been that each of the supporting organizations and advisory committees have indicated interest in how to become a chartering organization, so that they designate a small number of representatives to be part of the drafting team. So about two or three people, come together to prepare a first draft of such a charter.

And the desire has been to keep those groups relatively small, so that the focus is on the charter and not on doing the actual work. And that has sometimes actually been one of the challenges, where groups tend to run ahead and to deal with the issues, while the real work in the drafting team is developing the charter, and defining the scope and working methods.

So once the drafting team is happy with what they have produced, and again, normally there are already consultations as part of that process with the different chartering organizations, the charter is then passed back to the different supporting organizations and advisory committees, committees for adoption. And this happens through the respective processes of each of those groups, therefore dealing with the adoption of things like this.

ADOPTION OF THE CHARTER

The practice to date has been that charters have been adopted by all of the groups without any concerns, but one of the things that probably needs to be factored in the work that's being done

on developing a framework is, what happens if one of the chartering organizations does not adopt the charter? Or they want to suggest specific changes?

Does it mean that everyone needs to go back to the drawing table? And then adopt it again, which of course, can create multiple cycles of review and adoption. But again, it's probably one of the issues that needs to be factored in, as all cross community working groups have done this work.

Following the adoption of the charter by the different charting organizations, a call for volunteers goes out to join the cross community working group. And again, depending on the membership base, or how membership is defined, it may involve appointment by the chartering organizations of a specific number of appointed members to the cross community working group, in addition to an open call for volunteers to participate or observe the cross community working group proceedings.

So I just wanted to give you a couple of examples of these cross community working groups. And this is definitely not intended to be an exhaustive list. These are just some of the more recent ones and the ones that are actually still active, but you will also be familiar with the Joint DNS security and stability analysis working group. There is also the joint applicant support through cross community working group, and as I already mentioned before, the IDN fast track cross community working group.

But the ones you see on the screen here, are the ones that are currently in operation. They are the two transition related ones - the cross community working group on stewardship transition and the accountability one. As well as the cross community working groups, for example, the country and territory names as TLDs, which has been formed between the [CCNSO](#) and the [GNSO](#) to look at that specific topic as it is an area that effects both [ccTLDs](#) as well as [gTLDs](#).

I think that brings me to the end of the slides that I've provided. I would reiterate that there are a lot of similarities on the actual working level to the working groups that Heidi was talking about. Cross community working groups tend to meet at least on a weekly basis, although with the recent transition related efforts, that intensity can increase quite significantly. They use mailing lists, they use Adobe Connect and they use the Wiki space.

So I think from that perspective, you will find a lot of elements that the different groups have in common. As I've tried to explain in my presentation, there are also some significant differences, although it's important to highlight that these are based on current practice, and work is actively being done to translate these into principles and a framework that hopefully will be agreeable to the whole community, so one can work from those same principles and requirements in a future state of cross community working groups.



QUESTION TIME

HEIDI ULLRICH:

My question to the working group chairs, and past chairs that we have on the call - I'm just wondering what you have found to be some of the strengths that encourage better discussion, and good discussion, and more vibrant discussions on the working groups?

How can we encourage that to happen on all of the working groups? So there are more regular calls, or more active inputs that feed into the ALAC policy making process.

TIJANI BEN JEMAA:

Thank you Heidi. And being one of the chairs of those working groups, I would like to ask all these people who are attending this webinar, to join the capacity building working group. It is very easy, and it would be very helpful because in this working group we are defining the topics to be addressed. We are discussing the tools to be used for the capacity building. So it is very interesting, and I invite you to join our working group. Just send an email to the staff, saying that you want to join the capacity building working group.



So Marika, I will not ask a question, but I will make an intervention. The cross community working

groups now are formalized, more or less. So we have, more or less, something more harmonious so that the cross community working groups will all work in the same way.

What is now more clear and more defined, is the decision making inside the cross community working groups. Before, it was not so formalized, so everyone participating in the cross community working group can participate in decision making.

Now it is more precise that only the members who are appointed by the chartering organizations can participate in the decision making process. But the decision making process is made very, how to say, very democratic, since the consensus is privileged. Cross community working groups have to take decisions by consensus, but in some cases where there is no way to have a full consensus, a call for consensus will be made by the chair, but will be done by the members only.

So I think this is a good evolution in cross community working groups, and I hope it will be the norm. It is not included in the rules, but I think it will be the rule for the future.

[DEV ANAND TEELUCKSINGH:](#)

So to try to answer Heidi's question, I think it's good for working groups to have some work objectives, or some planning to give everyone some idea of what they want to accomplish. Because that then sets up a series of goals that they can accomplish, and once you have a to-do list, or a work plan, then you can schedule a call and ask, how are we going to achieve these work items? And then tackle those work items most expeditiously as possible. It's a challenge because there are lots of things to do.

And the second thing is to really try to engage as many persons in working groups as possible. One of the ways I have tried to do it as chair of working groups, is to try to have co-chairs to share the work load, and to try to balance and encourage a little bit closer collaboration with the co-chairs in between meetings or conference calls. So those are probably two key ideas for working groups.

My question to Marika actually is regarding GNSO working groups. Do the GNSO working groups have interpretation because the At-Large community is diverse and even from the Latin American and Caribbean community, Spanish is a common language.

[MARIKA KONINGS:](#)

GNSO working groups currently operate in English only. I know that as part of the GNSO review, there are some recommendations to look at how that can be more inclusive, and what options are there for interpretation and translation, but currently working groups operate only in English. Key documents for example, the summary report was put out for public comment in the five UN languages, but the language for working groups' deliberation is English.

[CHERYL LANGDON-ORR](#)

First of all, to take Heidi's question, I certainly support what Dev has answered. I've been around for a little while, and have attended one or two working groups. The ones that are most successful, in my very personal view, are the ones that are flexible enough to recognize that we are working with volunteers, and volunteers do in fact have real lives beyond ICANN.

And that the systems are setup as such that there are multiple opportunities of equitable input of opinions and feedback. And I'll go into some detail in just a moment on that. The other thing, of course, is to support what Dev has said in terms of work plans, to have clear objectives.

We often find in working groups that there is a waxing and waning of attendance and input, and that's often tracking as to whether or not there is an important bit of work being done. Whether we have, for example, gone into a final drafting mode on something, or whether we've come out of a public comment period and we are doing public comment reviews.

Now going back to the first point, we do, I think in certainly some of our joint work groups, if not cross community working groups, although in recent times, it has been a good practice, if not a standard operational procedure, to seeing that there is a sensible method of allowing for at least second, if not, third readings on things. So that community members who may miss a meeting, especially if they are running at a very high frequency of meeting, as sometimes happens, some of these working groups at some point in their cycling, may run upwards of two if not more times a week in calls.

It's very easy for subject matter to move past you with that sort of frequency, but many working groups take practice of no decision is made at any one meeting. That these need to go through a multiple, often first and second, but an occasionally up to third readings of things. We also tend to find, I think, better efficiency where the guidelines that are being put together through the GNSO on good guidelines for the operations of working group, recognizing that they are particularly obviously policy focused.

But there are some excellent pieces of guidance in those guidelines, and I think working practices or operational practices that are predictable, familiar, and have some sense of authoritative guide, if not reference, are important. And that allows us to do things like not go back and restart material that has been substantially discussed and decided upon earlier on in a process.

But of course, it will allow, by review and revisit, should new information or new inputs, or indeed, just agreement of a group, come to the table. It's very easy to hijack the forward progress of a working group, if people constantly drag everybody back to an earlier point in the project planning, and that's where Dev's point on objectives and projects are flexible. A project plan is very important.

I'm also a great advocate of the use of, if not co-chairs, of sub teams, and of having penholders, and breaking up work groups into small operational pieces, which do the hard work and which share the workload, and drafting, and then come back to the committee of a whole for group discussion and ratification.

And I think that's a practice that is to be recommended. It is desirable, absolutely, as Tijani said, for us to work on consensus, and it's my experience that consensus is far more easily brought about when more people are involved in the development of the material you are looking at to get consensus on. And finally, because I could go on for some time, as some of you know, on these and other topics, I think we need to recognize that the role of the chair, in particular, needs to be very specifically focused and neutral.

If you get a chair of a working group who starts to act as primary penholder, or is not so much a facilitator and someone who is gathering and reporting and facilitating, but who is a strong opinion builder, that is probably the quickest way of getting people with a diversity of views annoyed with you and your working group, and cause them to stop contributing. It is also the fastest way, in my view, to get quite valid criticisms of biased and non-consensus outcomes.

POP QUIZ QUESTIONS:

1. How many At-Large wide active working groups are there? Zero to five, six to 10, 11 to 20, or over 20?
2. What are the working methods for At-Large working groups? Face to face, teleconferences, Wiki workspaces, mailing lists, all of the above, or none of the above?
3. What is not an example of recent CCWGs? CCWGs on CCWGs, CWG on country and territory names as TLDs, CCWG on new gTLDs, CWG stewardship, CCWG accountability

ANSWERS:

1. (Heidi) 19
2. (Heidi) All of the above
3. (Marika) More people thought that there was not a cross community working group on cross community working groups, but actually there is. There is specifically the cross community working group that is looking at set of common principles under a framework for cross community working groups.

The effort that is not a cross community working group is on new gTLDs. There are efforts ongoing in the GNSO, but as gTLDs are specifically within the remit of the GNSO to develop policy on, this is likely to happen on a policy development process.